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TOWN OF JOHNSTON Planning Board

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Planning Board Meeting

Tuesday, November 18, 2014 - 5:30 P.M.

Johnston Senior Center - 1291 Hartford Ave. - Johnston, RI 02919

MEETING MINUTES

The Planning Board of the Town of Johnston held their regular meeting at 5:30 p.m. on Tuesday, November 18, 2014, at the Johnston Senior Center, 1291 Hartford Avenue, Johnston, RI 02919.

I. Call to Order & Roll Call

The meeting was called to order at 5:30 p.m. Quorum present for the Board: Lauren Garzone, Chair; John Laurito, Vice-Chair; Peggy Passarelli, Secretary; Albert Cournoyer, Christine Cunneen, Joseph Lembo, and Mohamad Sasa. Also present for the Town were Joseph Ballirano, Esq.; Michael Asciola, Town Planner; Ben Nascenzi, Dep. Dir. DPW, CBO/ZO; and Susan Leonardi, Planning Clerk.

II. Approval of Minutes

Motion was made by A. Cournoyer to accept the minutes of the October 7, 2014 Planning Board meeting. Motion was seconded by J. Lembo. A voice vote was taken; all in favor.

III. Approval of 2015 Meeting Calendar

Motion was made by J. Laurito to accept the 2015 Calendar of Meetings schedule. Motion was seconded by A. Cournoyer. **A voice vote was taken; all in favor.**

IV. Old Business

A. Pick N Pull – Bond Release

PB '14-17

Advisory Opinion to Town Council to release the performance bond of \$374,200.00 for all improvements to site (PB '10-43)

L. Garzone presented the request to the Board. B. Nascenzi stated that the applicant has complied with all rules and regulations set by the Zoning and Planning Boards. Project is completely landscaped and finished. He recommends release of the Bond.

C. Cunneen made the motion to send a positive Advisory Opinion to the Town Council. Motion was seconded by J. Laurito. **A voice vote was taken; all in favor.**

V. New Business

A. Orbit Energy - Preliminary Plan Review - Major Land Development & Industrial Site Plan Review PB '14-15

Major Land Development Preliminary Pan and Industrial Site Plan Review for a proposed 3.2 MW Bio Gas Power Plant, Scituate Ave, AP 43-7/Lot 2. Shelby Realty Inc., Property Owner; Orbit Energy, Applicant; Bradford A Hart of DiPrete Engineering, Project Engineer; Zoned I, 12.34 total acres.

Alfred Russo, Esq. presented application and history of project to the Board. The project and current issues were discussed at the Technical Staff Review meeting on November 13, 2014. Bradford A. Hart was sworn in and explained the site and the process. Worked with DEM for stormwater permit and explained the stormwater maintenance plan. Project does not have to meet the DEM 2010 standards due to having a pre-existing permit and only needed to modify the site design to receive current permit. Water model was done by C & E Engineering. Per water model there is water available for this project.

J. Laurito questioned the location of the switchyard and asked B. Nascenzi's opinion. B. Nascenzi is waiting for voltage and wattage calculations before issuing any approvals. B. Nascenzi stated that he is not comfortable with the power lines going between or near the tanks. He expressed concerned about the magnetic field causing an explosion. B. Hart discussed the switchyard for sending electricity to National Grid. Per the electrical engineer for the project, there will be no impact from any magnetic field caused by running the line between the digesters; but, a trench could also be directed around the digesters for the wiring to circumvent any potential issues cause in between the digester tanks. He stressed the project will need to meet all State Building and Electrical Codes.

Sewer connection contract is not yet in place. Discussions with Narragansett Bay Commission (NBC), and the City of Cranston are ongoing. The strength of the nitrogen in the wastewater is the primary obstacle. NBC would be the ideal company to sign with based on the location of their existing lines. They are working with NBC to come to an agreement on the strength of the nitrogen in the wastewater. Current strength is 50p/mill and NBC want 15p/mill. Cranston can handle the current strength of the nitrogen but their location to connect is about a half mile away and would be a costly infrastructure improvement. P. Passarelli verified the nitrogen issue and the strength of the nitrogen. B. Hart explained the nitrogen issue and reasons for the obstacles with NBC. The facility will discharge approximately 58,000 gallons of water per day.

Striping on ingress/egress access and directional signage will be added to the final plan. Stacking capacity on-site is approximately 13 trucks without impacting Scituate Avenue. Photometrics were explained and discussed. There will be 0 footcandles outside of the property boundaries. Landscaping plan will include planting of 15 street trees and parking area will be appropriately landscaped according to Town standards.

C. Cunneen questioned the conflicting information regarding the need for an Air Quality permit. Last month, Mr. Knight stated that none were needed and now the Board is being told that one is needed. Efim Monosov was sworn in. E. Monosov stated that the EPA has stated that no Air Quality permit will be required based on their findings and the levels of pollutants emitted. However, DEM regulations are more stringent and will issue an Air Quality permit. This permit is expected to be issued in March, 2015. C. Cunneen and J. Laurito questioned if any odors will be polluting the surrounding area. E. Monosov stated that all pollutants will be below DEM and EPA regulated emissions. The project requires a RIDEM air quality permit, which is expected to be obtained in March 2015.

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M. Sasa asked if the electrical lines underground for transferring power to National Grid would be encapsulated. B. Hart stated that they would be. E. Monosov stated that all work will be done according to all regulations and codes. No shortcuts will be taken. The company is investing \$17 million and does not want any explosions or problems. S. Sasa spoke about a prior project that involved high voltage power lines. J. Laurito stated that there are specific codes for high voltage lines. B. Nascenzi stated that the high voltage line codes and Industrial Performance Standards will be followed or the Building Permit can not be issued.

Additional discussion continued in regards to the wastewater disposal issue and importance to the advancement of the project. The Board expressed concern over the possibility the project could not obtain a wastewater treatment agreement. Mr. Monosov explained that they would not ever be permitted to completely treat the wastewater onsite and the project's construction could not go forward without an agreement in place.

B. Hart explained the preliminary approval was being requested and they were open to the Board granting a conditional approval concerning the Applicant's ability to obtain a wastewater treatment agreement.

Motion to approve the Preliminary Plan with the condition that no permit shall be issued to construct building foundations prior to the applicant securing an agreement with a wastewater treatment facility to treat the estimated 60,000 gallons of waste water emitted daily. Such agreement must be binding and found acceptable by the Town Engineer and Town Planner and in compliance with the Rhode Island hazardous waste management act of 1978, Rhode Island general law 23-19, 1-1, the Hazard Substance Community Right to Know Act, Rhode Island General Law 23-24, 4-1 and the Rhode Island water pollution control act, Rhode Island General Law 46-12-1 was made by A. Cournoyer. Motion seconded by J. Laurito. A voice vote was taken; all in favor.

Motion to approve the Industrial Site Review with the condition that no permit shall be issued to construct building foundations prior to the applicant securing an agreement with a wastewater treatment facility to treat the estimated 60,000 gallons of waste water emitted daily. Such agreement must be binding and found acceptable by the Town Engineer and Town Planner and in compliance with the Rhode Island hazardous waste management act of 1978, Rhode Island general law 23-19, 1-1, the Hazard Substance Community Right to Know Act, Rhode Island General Law 23-24, 4-1 and the Rhode Island water pollution control act, Rhode Island General Law 46-12-1 was made by A. Cournoyer. Motion seconded by M. Sasa. A voice vote was taken; all in favor.

B. Atwood Medical Center Expansion - Preliminary Plan Review & Commercial Site Plan Review PB'14-13

Major Land Development Preliminary Pan and Commercial Site Plan Review for proposed a 10,102 sq ft medical office building located on A.P 53-3/Lot 179 - 1524 Atwood Avenue within the B-2 Zone. The property contains an existing medical office facility that will continue to operate within the 5.5 acre parcel. Atwood Medical Health Services, LLC, Owner/Applicant; Bradford A Hart, DiPrete Engineering, Engineer; Attorney Joesph Shekarchi, Attorney.

Joseph Brennan, Esq. presented the application to the Board. He explained the project, B-2 Zone, no noise or odors will emit from site, no Physical Alteration Permit required, 2 ingress/egress access points, no Dimensional Variances will be needed, meets all points in the Comprehensive Community Plan for the Town of Johnston.

Spencer McCombe was sworn in. Mr. McCombe stated that the new building will house the Urgent Care, Lab, and Physical Therapy services. The space they currently use will be rented out. The Ordinance requires 320 parking spaces and the project will have 385.

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Kevin Morin of DiPrete Engineering was sworn in. All utilities are in place and letters of availability are forthcoming. Stormwater maintenance meets current DEM regulations. The Johnston Fire Department has reviewed the plans and has no concerns. The State Fire Marshall will give final approval. Lot coverage for this zone is 40% and the project would be 18%.

Landscaping regulations will be met, additional street trees will be planted. The lighting plan, handicapped parking, and location/enclosure of the dumpster discussed. A construction diagram will be submitted to B. Nascenzi.

M. Sasa questioned the location of the fire hydrants. K. Morin explained locations; the closest hydrant is across Atwood Ave, approximately 115 ft. away. Fire Department is located next door. M. Sasa asked if the building will be sprinklered. B. Nascenzi stated that it will not and does not need to be based on type of construction.

P. Passarelli verified emergency vehicle access around site. K. Morin explained that an analysis was performed and emergency vehicles can access all buildings.

Motion was made to approve the Master/Preliminary Plan by J. Lembo with the condition of the submittal of an emergency plan to the Building Department and the Johnston Fire Department. This was seconded by M. Sasa.
A voice vote was taken; all in favor.

Motion to approve the Commercial Site Review with the same condition was made by J. Laurito. This was seconded by A. Cournoyer.
A voice vote was taken; all in favor.

VI. Administrative Report & Special Items

M. Asciola updated the Board regarding the CDBG-DR grant and the extension request. OHCD has requested that the timetable for construction be moved up.

Alvina Estates II Final approval review is currently ongoing. Two conditions were set at Preliminary and he would like to waive the need for the gate at the "untitled" land and the applicant has restored the buffer to prior condition. Discussion about the untitled land and who maintains it.

Location of a possible 55 + residential housing project on Central Avenue for Cardarelli was discussed.

VII. General Business

L. Garzone announced her resignation from the Board effective November 19, 2014.

VIII. Adjournment

A. Cournoyer made the motion to adjourn at 7:15 p.m. and seconded by J. Lembo. **A voice vote was taken; all in favor.**

Planning Board documents are available for review and/or purchase 8:00 a.m. to 3:00 p.m. at the Planning Office, 1st floor, 100 Irons Avenue, Johnston. New items not heard by 9:30 p.m. may be rescheduled for a subsequent/special meeting at the discretion of the Board. Facilities are handicap accessible. Interpreter services may be requested from TTD (401) 792-9642 at least 72 hours in advance.